Patentee	Lau et al.	**COMMUNICATION REGARDING CERTIFICATE OF CORRECTION**
Patent No.	6,973,600	
Issue Date	12/6/2005	
Serial No.	10/062,306	
Attorney Docket No.	100.312US01	
Title: BIT ERROR RATE TESTER		

ATTN: Certificate of Corrections Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Patentee hereby requests issuance of a Certificate of Correction in U.S. Letters Patent No. 6,973,600 as specified on the attached Certificate (Form PTO/SB/44). Please find enclosed documentation supporting errors identified in the above noted patent, referred to herein as Exhibits A and B.

With respect to the error in claim 38 of the issued patent, Exhibit A is a copy of an Amendment and Response including claim 38 (as allowed) and a copy of a signed Certificate of Transmission indicating the Response was submitted to the U.S. Patent & Trademark Office on March 7, 2005. Exhibit B is a copy of Columns 13 and 14 of the issued patent.

As shown by Exhibits A and B, claim 38 as disclosed in Exhibit A does not recite the word "masking" as recited in line 5 of column 14 of the issued patent in Exhibit B. The identified error constitutes an Office error and, as such, does not introduce new matter. Patentee believes this correction as specified is necessary due to the aforementioned Office error and therefore does not believe that any fee is due for issuance of a Certificate of Correction for this patent.

However, if deemed necessary, the Office is authorized to charge any additional fees found due to Deposit Account No. 502432. Please contact the undersigned if you have any questions.

Respectfully submitted,

Date: October 2, 2008 /David N. Fogg/

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

(Also Form PTO-1050)

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,973,600
APPLICATION NO. : 10/062,306
ISSUE DATE : 12/6/2005
INVENTOR(S) : Lau et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

At Claim 38, Column 14, Line 5, remove the first occurrence of “masking”

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EXHIBIT A

Applicant(s)	Lau	**AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.111**
Serial No.	10/062,306	
Filing Date	2/1/2002	
Group Art Unit	2133	
Examiner Name	Dipakkumar B. Gandhi	
Confirmation No.	2557	
Attorney Docket No.	100.312US01	
Title: BIT ERROR RATE TESTER		

Commissioner for Patents
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The Office Action mailed on September 7, 2004 has been reviewed. Please amend the above-identified application as follows.

This paper is accompanied by a Petition, as well as the appropriate fee, to obtain a 3-month extension of the period for responding to the Office Action, thereby moving the deadline for response from December 7, 2004 to March 7, 2005.

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks begin on page 14 of this paper.

Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the application:

Listing of claims:

1. (Currently Amended) A High-speed Digital Subscriber Line (HDSL) communication device, comprising:

a HDSL communication interface;

an upstream communication interface;

a communication circuit coupled to the HDSL communication interface and the upstream communication interface;

a bit error rate test (BERT) circuit coupled to the communication circuit; and

a processor coupled to the communication circuit and the BERT circuit, wherein the processor commands the BERT circuit to initiate a bit error rate (BER) test;

wherein the HDSL communication device remotely configures a second communication device to mask errors during the BER test.

2. (Original) The HDSL communication device of claim 1, wherein the HDSL communication device further comprises:

a machine-usable storage media coupled to the processor, where the processor utilizes BER firmware stored on the machine-usable storage media to operate the BERT circuit.

3. (Original) The HDSL communication device of claim 1, wherein the HDSL communication device further comprises:

a craft port coupled to the processor, wherein a BER test is initiated by the processor by a command from the craft port.

4. (Original) The HDSL communication device of claim 1, wherein the HDSL communication interface contains an embedded operation channel (EOC), such that command signals may be expressed on the EOC by the HDSL communication device.

5. (Original) The HDSL communication device of claim 4, wherein the EOC command signal is a loopback configuration command signal.

6. (Original) The HDSL communication device of claim 1, wherein the upstream communication interface contains an embedded operation channel (EOC), such that command signals may be expressed on the EOC by the HDSL communication device.

7. (Original) The HDSL communication device of claim 6, wherein the EOC command is a loopback configuration command.

8. (Original) The HDSL communication device of claim 1, wherein the communication link is coupled to a T1 communication interface of the HDSL communication device.

9. (Original) The HDSL communication device of claim 1, wherein a test pattern is generated and compared by the bit error rate test (BERT) circuit coupled to the HDSL communication device.

10. (Original) The HDSL communication device of claim 1, wherein a digital signal 1 (DS1) loss event error is masked by the HDSL communication device.

11. (Original) The HDSL communication device of claim 1, wherein the BER test is initiated on the HDSL communication interface.

12. (Original) The HDSL communication device of claim 1, wherein the BER test is initiated on the upstream communication interface.

13. (Currently Amended) A communication system, comprising:

a first and a second High-speed Digital Subscriber Line (HDSL) communication device, each HDSL communication device having a HDSL interface and at least one other communication interface;

a HDSL communication link coupled to the HDSL interface of the first HDSL communication device and to the HDSL interface of the second HDSL communication device, wherein the first HDSL communication device initiates a bit error rate (BER) test on the HDSL communication link and locally masks all alarms until the BER test is complete;

wherein the first HDSL communication device remotely configures the second HDSL communication device to mask errors during the BER test.

14. (Original) The communication system of claim 13, wherein the first HDSL communication device expresses a loopback command signal on the HDSL communication link.

15. (Original) The communication system of claim 13, wherein the first HDSL communication device further comprises:

a machine usable storage media coupled to a processor, where the processor controls BER test with firmware from the machine usable storage media.

16. (Currently Amended) A method of operating a communications system, comprising:

initializing a Bit Error Rate (BER) test across a communication link coupled between a first and a second High-speed Digital Subscriber Line (HDSL) communication device;

masking errors locally in the first HDSL communications device until completion of the BER test;

sending a test pattern signal through the communication link from the first HDSL communication device to the second HDSL communication device;

receiving a return signal from the second HDSL communication device at the first HDSL communication device; ~~and~~

comparing the test pattern signal with the received return signal on the first HDSL communication device to determine a bit error rate; and

remotely configuring the second HDSL communication device to mask errors until completion of the BER test.

17. (Original) The method of claim 16, further comprising:

setting the second HDSL communication device into loopback mode.

18. (Original) The method of claim 16, further comprising:

sending a loopback configuration command to the second HDSL communications device over an embedded operation channel (EOC).

19. (Original) The method of claim 16, wherein BER routines are stored on a machine readable storage medium coupled to the first HDSL communication device.

20. (Original) The method of claim 16, wherein the test pattern is generated and compared by an integrated bit error rate test (BERT) circuit coupled to the first HDSL communication device.

21. (Original) The method of claim 16, wherein a digital signal 1 (DS1) loss event error is masked by the first HDSL communication device.

22. (Currently Amended) A method of operating a communications system, comprising:

initializing a Bit Error Rate (BER) test across a communication link coupled between a first and a second High-speed Digital Subscriber Line (HDSL) communication device;

sending a test pattern signal through the communication link from the first HDSL communication device to the second HDSL communication device;

receiving a return signal from the second HDSL communication device to the first HDSL communication device;

comparing the test pattern signal with the received return signal on the first HDSL communication device to determine a bit error rate; and

remotely configuring the second HDSL communication device to mask ~~masking~~ errors at the second HDSL communications device until completion of the BER test.

23. (Original) The method of claim 22, further comprising:

sending a loopback configuration command to the second HDSL communications device over an embedded operation channel (EOC).

24. (Original) The method of claim 23, wherein the EOC command to the second HDSL communications device is an error mask command.

25. (Original) The method of claim 23, wherein the EOC command to the second HDSL communications device is an alarm mask command.

26. (Original) The method of claim 22, wherein BER routines are stored on a machine readable storage medium coupled to the first HDSL communication device.

27. (Original) The method of claim 22, wherein the test pattern is generated and compared by an integrated bit error rate test (BERT) circuit coupled to the first HDSL communication device.

28. (Original) The method of claim 22, wherein a DS1 loss event error is masked by the second HDSL communication device.

29. (Currently Amended) A method of operating a High-speed Digital Subscriber Line (HDSL) communication device, comprising:

initializing a Bit Error Rate (BER) test across a communication link coupled to the HDSL communication device;

sending a test pattern signal though the communication link;

receiving a return signal;

comparing the test pattern signal with the received return signal to determine a bit error rate; and

masking errors locally in the HDSL communications device until completion of the BER test; and

remotely configuring a second communication device that is coupled to the communication link to mask errors until completion of the BER test.

30. (Currently Amended) The method of claim 29, further comprising:

setting a the second communication device that is coupled to the communication link into loopback mode.

31. (Original) The method of claim 30, wherein the second communication device is a HDSL communication device.

32. (Original) The method of claim 30, further comprising:

sending a loopback configuration command to the second communications device over an embedded operation channel (EOC).

33. (Original) The method of claim 29, wherein BER routines are stored on a machine readable storage medium coupled to the HDSL communication device.

34. (Original) The method of claim 29, wherein the communication link is coupled to a HDSL communication interface of the HDSL communication device.

35. (Original) The method of claim 29, wherein the communication link is coupled to a T1 communication interface of the HDSL communication device.

36. (Original) The method of claim 29, wherein the test pattern is generated and compared by an integrated bit error rate test (BERT) circuit coupled to the HDSL communication device.

37. (Original) The method of claim 29, wherein a DS1 loss event error is masked by the HDSL communication device.

38. (Currently Amended) A method of operating a High-speed Digital Subscriber Line (HDSL) communication device, comprising:

initializing a Bit Error Rate (BER) test across a communication link coupled to the HDSL communication device to a second HDSL communications device;

sending a test pattern signal though the communication link;

receiving a return signal;

comparing the test pattern signal with received return signal to determine a bit error rate; and

remotely configuring the second HDSL communication device to mask ~~masking~~ errors in the second HDSL communications device until completion of the BER test.

39. (Original) The method of claim 38, further comprising:

expressing a command on an embedded operation channel (EOC) to the second HDSL communications device.

40. (Original) The method of claim 39, wherein the EOC command to the second HDSL communications device is a loopback configuration command.

41. (Original) The method of claim 39, wherein the EOC command to the second HDSL communications device is an error mask command.

42. (Original) The method of claim 39, wherein the EOC command to the second HDSL communications device is an alarm mask command.

43. (Original) The method of claim 38, wherein BER routines are stored on a machine readable storage medium coupled to the HDSL communication device.

44. (Original) The method of claim 38, wherein the test pattern is generated and compared by an integrated bit error rate test (BERT) circuit coupled to the HDSL communication device.

45. (Original) The method of claim 38, wherein a DS1 loss event error is masked by the second HDSL communication device.

46. (Currently Amended) A method of operating a communication device, comprising:

initializing a Bit Error Rate (BER) test across a communication link coupled to the communication device;

sending a test pattern signal though the communication link;

receiving a return signal;

comparing the test pattern signal with received return signal to determine a bit error rate; and

masking errors locally in the communications device until completion of the BER test; and

remotely configuring a second communication device coupled to the communication link to mask errors until completion of the BER test.

47. (Currently Amended) The method of claim 46, further comprising:

setting ~~a~~ the second communication device that is coupled to the communication link into loopback mode.

48. (Original) The method of claim 47, wherein the second communication device is a HDSL communication device.

49. (Original) The method of claim 47, further comprising:

sending a command to the second communications device over an embedded operation channel (EOC).

50. (Original) The method of claim 49, wherein the EOC command to the second communications device is a loopback configuration command.

51. (Currently Amended) A method of operating a communication device, comprising:

initializing a Bit Error Rate (BER) test across a communication link coupled to the communication device to a second communications device;

sending a test pattern signal though the communication link;

receiving a return signal;

comparing the test pattern signal with received return signal to determine a bit error rate; and

remotely configuring the second communication device to mask ~~masking~~ errors in the second communications device until completion of the BER test.

52. (Original) The method of claim 51, further comprising:

sending a command to the second communications device over an embedded operation channel (EOC).

53. (Original) The method of claim 52, wherein the EOC command to the second communications device is a loopback configuration command.

54. (Original) The method of claim 52, wherein the EOC command to the second communications device is an error mask command.

55. (Currently Amended) A machine-usable medium having machine-readable instructions stored thereon for execution by a processor of a communication device to perform a method comprising:

initializing a Bit Error Rate (BER) test across a communication link coupled to the communication device;

sending a test pattern signal though the communication link;

receiving a return signal;

comparing the test pattern signal with received return signal to determine a bit error rate; and

remotely configuring a second communication device coupled to the communication link to mask errors in the second communication device ~~masking errors locally in the communications device~~ until completion of the BER test.

REMARKS

Applicant has reviewed the Office Action mailed on September 7, 2004 as well as the art cited. Claims 1-55 are pending in this application.

Rejections Under 35 U.S.C. § 102

Claims 1, 11 and 12 were rejected under 35 USC § 102(e) as being anticipated by Jefferey et al., (U.S. 2002/0188668) (also referred to here as "Jefferey").

In order to expedite prosecution, claim 1 has been amended to recite "wherein the HDSL communication device remotely configures a second communication device to mask errors during the BER test." It is respectfully submitted that none of the cited references teach or suggest this feature.

For example, in rejecting claim 10, the Office Action cited paragraph 0254 of McWilliams (US 2002/0009089). Paragraph 0254 of McWilliams states:

> [0254] In addition to an 8-bit address and 8-bit data bus plus the associated bus protocol control signals, the CPU interface 115 includes an open-drain interrupt signal. This signal may be asserted on the detection of various alarms within the device, e.g. excessive HEC errors, ECC buffer fall/empty, loss of lock etc. Any of the potential internal sources of this interrupt may be individually inhibited via an interrupt mask.

However, the cited paragraph is silent as to "wherein the HDSL communication device *remotely configures* a second communication device to mask errors during the BER test."

Claims 11 and 12 depend from claim 1 and, therefore, the arguments set forth herein with respect to claim 1 apply to these claims as well.

Accordingly, it is respectfully requested that the rejection of claims 1, 11 and 12 be withdrawn.

Rejections Under 35 U.S.C. § 103

Claims 2 and 3 were rejected under 35 USC § 103(a) as being unpatentable over Jefferey et al. as applied to claim 1 above, and further in view of Kaewell Jr. et al. (U.S. Patent No. 5,448,616).

Claims 4 and 6 were rejected under 35 USC 103(a) as being unpatentable over Jefferey et al (U.S. 2002/0188668) as applied to claim 1 above, and further in view of Bremer et al. (U.S. Patent No. 6,647,058).

Claims 5 and 7 were rejected under 35 USC 103(a) as being unpatentable over Jefferey et al and Bremer et al. as applied to claim 4 and 6 above, and further in view of Lee (US 2002/0141445).

Claims 8 and 9 were rejected under 35 USC 103(a) as being unpatentable over Jefferey et al. as applied to claim 1 above, and further in view of Appleton et al. (U.S. 6,628,621).

Claim 10 was rejected under 35 USC 103(a) as being unpatentable over Jefferey et al. as applied to claim 1 above, and further in view of Stenard (U.S. Patent No. 5,136,617) and McWilliams (US 2002/0009089).

Claim 13 was rejected under 35 USC 103(a) as being unpatentable over Seaholtz et al. (U.S. Patent No. 6,424,636) in view of Jefferey et al. and McWilliams.

Claim 14 was rejected under 35 USC 103(a) as being unpatentable over Seaholtz et al., Jefferey et al. and McWilliams as applied to claim 13 above, and further in view of Lee.

Claim 15 was rejected under 35 USC 103(a) as being unpatentable over Seaholtz et al, Jefferey et al. and McWilliams as applied to claim 13 above, and further in view of Kaewell Jr. et al.

Claims 16, 20, 22, 27, 29, 34, 35, 36, 38, 44, 46 and 51 were rejected under 35 USC 103(a) as being unpatentable over Appleton et al. (U.S. 6,628,621) in view of McWilliams.

Claims 17, 30, 31, 37 and 48 were rejected under 35 USC 103(a) as being unpatentable over Appleton et al and McWilliams as applied to claim 16, 29, 46 above, and further in view of Lee.

Claims 18, 23, 24, 25, 32, 40, 49, 50 and 53 were rejected under 35 USC 103(a) as being unpatentable over Appleton et al and McWilliams as applied to claim 16, 22, 29, 38, 46 and 51 above, and further in view of Bremer et al and Lee.

Claims 19, 26, 33 and 43 were rejected under 35 USC 103(a) as being unpatentable over Appleton et al and McWilliams as applied to claim 16, 22, 29 and 38 above, and further in view of Kaewell Jr et al.

Claims 21, 28, 37 and 45 were rejected under 35 USC 103(a) as being unpatentable over Appleton et al. and McWilliams as applied to claim 16, 22, 29 and 38 above, and further in view of Stenard (U.S. Patent No. 5,136,617).

Claims 39, 41, 42, 52 and 54 were rejected under 35 USC 103(a) as being unpatentable over Appleton et al. and McWilliams as applied to claim 38 above, and further in view of Bremer et al.

Claim 55 was rejected under 35 USC 103(a) as being unpatentable over Appleton et al in view of McWilliams and Kaewell Jr. et al.

Claims 13, 16, 22, 29, 38, 46, 51, and 55 have been amended in a similar manner as claim 1. Therefore, it is respectfully submitted that the arguments set forth above with respect to claim 1 apply to these independent claims and the claims depending therefrom. Accordingly, it is respectfully requested the rejections of these claims be withdrawn.

Dependant claims 30 and 47 have been amended to make those claims consistent with the amended claims 29 and 46, respectively.

CONCLUSION

Applicant respectfully submits that claims 1-55 are in condition for allowance and notification to that effect is earnestly requested. If necessary, please charge any additional fees or credit overpayments to Deposit Account No. 502432.

If the Examiner has any questions or concerns regarding this application, please contact the undersigned at 612-455-1685.

Respectfully submitted,

Date: 3/7/2005

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EXHIBIT A

Applicant(s)	Mo-Ching Justine Lau et al.	**FACSIMILE TRANSMITTAL FORM**
Serial No.	10/062,306	
Filing Date	February 1, 2002	
Group Art Unit	2133	
Examiner Name	Dipakkumar Gandhi	
Facsimile No.	703-872-9306	
Confirmation No.	2557	
Attorney Docket No.	100.312US01	
Title: BIT ERROR RATE TESTER		

TOTAL PAGES: 22 pgs. (including cover sheet)
TO CENTRAL FAX – (703) 872-9306
Attention: Examiner Dipakkumar Gandhi, Art Unit 2133

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Enclosures

The following documents are enclosed:

X An Amendment and Response Under 37 C.F.R. 1.111 (17 pgs.).
X Petition for a Three-month Extension of Time (1 pg.).
X Information Disclosure Statement (1 pg.) and Form 1449 (1 pg.)
X Credit Card Payment Form (PTO-2038) for Petition Fee (1 pg.).

Please charge any additional fees or credit any overpayments to Deposit Account No. 502432.

Submitted By

Name	Jon M. Powers	Reg. No.	43,868	Telephone	(612) 332-4720
Signature	Jon M. Powers			Date	March 7, 2005

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Certificate of Transmission

I certify that this paper, and the above-identified documents, are being transmitted by facsimile to, Examiner Dipakkumar Gandhi, Group Art Unit 2133 (Facsimile No. 703-872-9306) of the United States Patent and Trademark Office on March 7, 2005.

Name	Elizabeth A. Bauer	Signature	Elizabeth A. Bauer

remotely configuring the second HDSL communication device to mask errors at the second HDSL communications device until completion of the BER test.

23. The method of claim **22**, further comprising:

sending a loopback configuration command to the second HDSL communications device over an embedded operation channel (EOC).

24. The method of claim **23**, wherein the EOC command to the second HDSL communications device is an error mask command.

25. The method of claim **23**, wherein the EOC command to the second HDSL communications device is an alarm mask command.

26. The method of claim **22**, wherein BER routines are stored on a machine readable storage medium coupled to the first HDSL communication device.

27. The method of claim **22**, wherein the test pattern is generated and compared by an integrated bit error rate test (BERT) circuit coupled to the first HDSL communication device.

28. The method of claim **22**, wherein a DS1 loss event error is masked by the second HDSL communication device.

29. A method of operating a High-speed Digital Subscriber Line (HDSL) communication device, comprising:

initializing a Bit Error Rate (BER) test across a communication link coupled to the HDSL communication device;

sending a test pattern signal though the communication link;

receiving a return signal;

comparing the test pattern signal with the received return signal to determine a bit error rate; and

masking errors locally in the HDSL communications device until completion of the BER test; and

remotely configuring a second communication device that is coupled to the communication link to mask errors until completion of the BER test.

30. The method of claim **29**, further comprising:

setting the second communication device that is coupled to the communication link into loopback mode.

31. The method of claim **30**, wherein the second communication device is a HDSL communication device.

32. The method of claim **30**, further comprising:

sending a loopback configuration command to the second communications device over an embedded operation channel (EOC).

33. The method of claim **29**, wherein BER routines are stored on a machine readable storage medium coupled to the HDSL communication device.

34. The method of claim **29**, wherein the communication link is coupled to a HDSL communication interface of the HDSL communication device.

35. The method of claim **29**, wherein the communication link is coupled to a T1 communication interface of the HDSL communication device.

36. The method of claim **29**, wherein the test pattern is generated and compared by an integrated bit error rate test (BERT) circuit coupled to the HDSL communication device.

37. The method of claim **29**, wherein a DS1 loss event error is masked by the HDSL communication device.

38. A method of operating a High-speed Digital Subscriber Line (HDSL) communication device, comprising:

initializing a Bit Error Rate (BER) test across a communication link coupled to the HDSL communication device to a second HDSL communications device;

sending a test pattern signal though the communication link;

receiving a return signal;

comparing the test pattern signal with received return signal to determine a bit error rate; and

remotely configuring the second HDSL communication device to mask masking errors in the second HDSL communications device until completion of the BER test.

39. The method of claim **38**, further comprising:

expressing a command on an embedded operation channel (EOC) to the second HDSL communications device.

40. The method of claim **39**, wherein the EOC command to the second HDSL communications device is a loopback configuration command.

41. The method of claim **39**, wherein the EOC command to the second HDSL communications device is an error mask command.

42. The method of claim **39**, wherein the EOC command to the second HDSL communications device is an alarm mask command.

43. The method of claim **38**, wherein BER routines are stored on a machine readable storage medium coupled to the HDSL communication device.

44. The method of claim **38**, wherein the test pattern is generated and compared by an integrated bit error rate test (BERT) circuit coupled to the HDSL communication device.

45. The method of claim **38**, wherein a DS1 loss event error is masked by the second HDSL communication device.

46. A method of operating a communication device, comprising:

initializing a Bit Error Rate (BER) test across a communication link coupled to the communication device;

sending a test pattern signal though the communication link;

receiving a return signal;

comparing the test pattern signal with received return signal to determine a bit error rate; and

masking errors locally in the communications device until completion of the BER test; and

remotely configuring a second communication device coupled to the communication link to mask errors until completion of the BER test.

47. The method of claim **46**, further comprising:

setting the second communication device that is coupled to the communication link into loopback mode.

48. The method of claim **47**, wherein the second communication device is a HDSL communication device.

49. The method of claim **47**, further comprising:

sending a command to the second communications device over an embedded operation channel (EOC).

50. The method of claim **49**, wherein the EOC command to the second communications device is a loopback configuration command.

51. A method of operating a communication device, comprising:

initializing a Bit Error Rate (BER) test across a communication link coupled to the communication device to a second communications device;

sending a test pattern signal though to communication link;

receiving a return signal;

comparing the test pattern signal with received return signal to determine a bit error rate; and

remotely configuring the second communication device to mask errors in the second communications device until completion of the BER test.